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Asbestos cleanup suit goes to judge

MISSOULA (AP) — Final arguments ended Friday in a trial over who should pay for asbestos cleanup at a closed vermiculite mine in Libby, and the decision is now in the hands of U.S. District Judge Donald Molloy.

He said he will decide at an unspecified date whether a \$21.5 million bill will be paid by government agencies or by W.R. Grace and Co., the company that operated the mine for 27 years until it closed in 1990.

Grace already has agreed to pay almost \$33 million for work done by the Environmental Protection Agency and other agencies between November 1999 and Dec. 31, 2001. Federal attorneys, however, say that's not enough and \$21.5 million in costs still haven't been covered.

Another \$5.2 million is being sought from Grace subsidiary Kootenai Development Corp.

Grace attorneys contend the federal government did not provide enough information about the disputed costs. Attorneys for the government say courts have accepted federal agencies' cost summaries in similar cases.

Both sides, however, agree that some government accounting errors were made.

The federal government stepped in to clean up contaminated sites around Libby after news reports detailed how asbestos had sickened hundreds of people and contributed to at least 200 deaths.